The opinion in support of the decision being entered today was <u>not</u> written for publication in a law journal and is <u>not</u> binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Ex parte WOLFGANG BARNIKOL

Application 08/869,406

ORDER DISMISSING APPEAL

MAILED

DEC 2 0 2004

U.S. PATENT AND TRADEMARK OFFICE BOARD OF PATENT APPEALS AND INTERFERENCES

Before HARKCOM, <u>Acting Chief Administrative Patent Judge</u>, and WILLIAM F. SMITH and NASE, <u>Administrative Patent Judges</u>.

Per curiam.

On June 19, 2001, applicant filed a Notice of Appeal. On December 2, 2004, appellant filed a communication stating that applicant expressly abandons this application.

Accordingly, it is

ORDERED that the appeal filed June 19, 2001, is dismissed.

Application 08/869,406

The application is being returned to the examiner for further action as may be appropriate.

Gary J. Harkgom, Acting Chief Administrative Patent Judge

BOARD OF PATENT

APPEALS AND

INTERFERENCES

William F. Smith

Administrative Patent Judge

Jeffrey V. Nase Administrative Patent Judge

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